

Exhibit A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,) Master File No.
)
) 3:07-cv-05944 SC
)

THIS DOCUMENT RELATES TO:)
)
)
ALL INDIRECT PURCHASER ACTIONS) MDL No. 1917
)
)

VIDEOTAPED DEPOSITION OF ALBERT SIDNEY CRIGLER

Held at

Branstetter, Stranch & Jennings

Nashville, Tennessee

Tuesday, October 23, 2012

9:43 a.m. - 12:50 p.m.

REPORTED BY: SANDRA LEE HOCKIN, CSR No. 7372

1 A. Yes.

2 Q. And in what state is that car registered?

3 A. Tennessee.

4 Q. Are you registered to vote in Tennessee?

5 A. Yes.

6 Q. Are you registered to vote in any other state?

7 A. No.

8 Q. Have you ever lived outside of Tennessee?

9 A. I have.

10 Q. What time period was that?

11 A. I lived in Georgia from about '98 to 2002; and I
12 lived in Auburn before that, between '94 and '98.

13 Q. So you've lived in Tennessee from 2002 to the
14 present?

15 A. To the present.

16 Q. Okay. Thank you.

17 Have you ever had your deposition taken before?

18 A. No.

19 Q. I'm just going to quickly go through sort of the
20 ground rules for depositions, and really the point of
21 these is just to ensure that we get the cleanest possible
22 record of what's said in this room today.

23 A. Okay.

24 Q. You just swore to tell the truth under penalty
25 of perjury. Do you understand what that means?

1 A. '92.

2 Q. Did you go to college?

3 A. I did.

4 Q. What college did you go to?

5 A. I went to several colleges, but I graduated from
6 MTSU.

7 Q. What does MTSU stand for?

8 A. Middle Tennessee State University.

9 Q. What were the other colleges that you attended?

10 A. Auburn, Alabama. And community college in
11 Huntsville. Calhoun Community College.

12 Q. Auburn, Alabama University?

13 A. Right.

14 Q. But you graduated from MTSU?

15 A. Correct.

16 Q. During what years did you attend -- let's start
17 with Auburn?

18 A. '94 to probably '96.

19 Q. By starting with that one --

20 A. Actually, Alabama was the first. That was '92
21 to '93.

22 Q. Okay.

23 A. Calhoun, '93 to '94.

24 Q. Calhoun was the community college?

25 A. Correct.

1 A. Yes.

2 Q. And you bought the TV around that time?

3 A. Yes.

4 Q. Do you have any documents that would show when
5 you purchased this TV?

6 A. I do not.

7 Q. Other than the photos that we looked at, do you
8 have any documents related to this purchase at all?

9 A. I don't.

10 Q. You don't have any receipts or invoices?

11 A. No.

12 Q. You don't have a packing slip?

13 A. No.

14 Q. You don't have an owner's manual?

15 A. Not that I'm aware of. Not that I could find.

16 Q. You don't have any credit card statements that
17 reflect the amount that you paid?

18 A. I sure don't.

19 Q. Have you looked for any of this kind of stuff?

20 A. I have.

21 Q. What did you do to look?

22 A. Looked in my drawers -- drawers -- the chest of
23 drawers. Just any places where I might keep receipts.
24 My glove compartment.

25 Q. I'm sorry, are you done?

1 A. Yes.

2 Q. I just don't want to cut you off.

3 Did you ever receive a receipt for this?

4 A. Probably. I mean, when I bought it, I would
5 imagine they gave me a receipt. So...

6 Q. Do you remember what you did with it?

7 A. I don't.

8 Q. So all the details about this purchase -- again,
9 we're talking about the Sharp TV -- that are listed here
10 on this interrogatory response come entirely from your
11 memory; is that right?

12 A. Correct.

13 Q. If you look at the next paragraph, it says that
14 you purchased this at a Target. Is that correct?

15 A. Mm-hmm.

16 Q. How do you know that you purchased it at a
17 Target?

18 A. Well, I'm pretty sure it was a Target. It might
19 have been a Wal-Mart. My guess is that it's a Target.

20 Q. What do you base that guess on?

21 A. Because the Target -- I frequented the Target
22 more than a Wal-Mart because it was closer proximity to
23 my apartment.

24 Q. So you commonly bought goods at a Target --

25 A. Correct.

1 Q. -- during this time period?

2 But do you have any specific recollection of
3 buying this TV at Target?

4 A. Not specifically at Target.

5 Q. Do you recall if you purchased this product
6 online?

7 A. I did not buy it online.

8 Q. You know you went into a store?

9 A. Yes.

10 Q. You just don't know which store it was?

11 A. Right. I believe it was Target, like I said.

12 MR. GRALEWSKI: Object to the form. Misstates
13 testimony, lacks foundation. Sorry, Counsel.

14 BY MR. BALLARD:

15 Q. Where was the store located?

16 A. On White Bridge Road.

17 Q. This is the Target?

18 A. Yes.

19 Q. Okay. I'm sorry, where was it located?

20 A. White Bridge Road, Nashville.

21 Q. Do you recall if you ever considered purchasing
22 the TV that you needed for your new apartment anywhere
23 else?

24 A. If I considered it?

25 Q. Other than a Target.

1 A. Right.

2 Q. Can you explain to me the change from "to be
3 supplied" to "not available"?

4 A. Yes. I know that we were trying to get to a
5 more specific time frame, and just, you know -- I guess
6 it was not -- I didn't have any receipts for this or
7 anything else to indicate precisely when I purchased it.
8 So "not available" was, I guess, the best answer unless
9 "between '96 and '98" is a better one.

10 Q. When you wrote -- when you said "to be supplied"
11 in your original response, did you think that maybe you
12 had a receipt?

13 A. Yes.

14 Q. And did you look for it?

15 A. I did.

16 Q. And you couldn't find it?

17 A. I could not.

18 Q. So that's why you changed it to "not available"?

19 A. Right.

20 Q. Okay. You don't have a receipt. Do you have
21 any other documents that might show when you purchased
22 this product?

23 A. I don't.

24 Q. Other than the photos that we looked at -- we
25 just looked at, do you have any documents at all that are

1 related to this purchase?

2 A. No.

3 Q. You don't have any invoices or packing slips?

4 A. No.

5 Q. Okay. You don't have the owner's manual?

6 A. No.

7 Q. Did you look for these kinds of documents?

8 A. Sure.

9 Q. What did you do to look for them?

10 A. Went through my drawers, through any cabinets,
11 closets. Any --

12 Q. Sorry.

13 A. Just anyplace that I could think of that would
14 have been, you know, a reasonable place that it might
15 have been.

16 Q. Do you recall receiving a receipt for this
17 purchase?

18 A. Yes.

19 Q. What did you do with it?

20 A. Probably stuffed it into a drawer and eventually
21 discarded it after a few years or so.

22 Q. If you look at your revised response, the one
23 that has the date on top, 511 -- not that one, but the --
24 yeah.

25 A. Mm-hmm.

1 things?

2 A. Right.

3 Q. So I'm assuming that the product was shipped to
4 you; right? You didn't go to a store and pick it up?

5 A. Correct.

6 Q. Where was it shipped from?

7 A. I'm not sure where it was shipped from.

8 Q. Where did you receive it?

9 A. It came to my parents' house in Huntsville,
10 Alabama.

11 Q. Why did you have it shipped there?

12 A. Well, that's where Bill Johnson was from; that's
13 where my parents were living. So it's just, I guess,
14 easier to do it that I way. And then I came and picked
15 it up and took it with me to Auburn.

16 Q. You were living in Auburn at the time?

17 A. Correct.

18 Q. Which is in Alabama?

19 A. Correct.

20 Q. Why not have it shipped directly to your house?

21 A. Probably some sort of convenience factor for
22 Bill Johnson, my father and myself, I would imagine. You
23 know, it came in a large box and -- for all I know, Bill
24 Johnson might have brought it directly to my house. It
25 might not have been shipped at all. So...

1 Q. But you said that you thought it was shipped to
2 your parents' house?

3 A. Correct.

4 Q. You're saying maybe that didn't happen; maybe,
5 instead, Mr. Johnson brought the --

6 A. Right.

7 Q. -- monitor directly to you?

8 A. Right.

9 Q. But, regardless, it was brought to you,
10 somewhere in Alabama?

11 A. Right.

12 Q. And you used it at your home in Auburn, Alabama?

13 A. Correct.

14 Q. Did the funds that you used to pay for it come
15 out of a bank account?

16 A. Yes.

17 Q. And where was that bank account located?

18 A. Auburn.

19 Q. Okay. Auburn, Alabama?

20 A. Correct. I believe it was South Trust.

21 Q. That's the name of the bank?

22 A. Correct.

23 Q. What was Mr. Johnson's involvement in this
24 transaction? Did he have any involvement?

25 A. I'm not sure. He probably recommended this

1 particular computer.

2 Q. And he may have brought you the computer, but
3 you're not sure?

4 A. Right. I mean, it was already there, you know,
5 at my parents' house in a box. So I don't know if it was
6 shipped there or if he directly brought it there from --
7 from wherever it came from.

8 Q. Okay. If you look back at your interog
9 response, at "Price," it says -- just with your Sharp TV,
10 it says the price is not available.

11 Does that mean you don't know how much you paid
12 for this?

13 A. That is right.

14 Q. And that's because you don't have any documents
15 that reflect this purchase?

16 A. Right.

17 Q. You don't remember whether the monitor was on
18 sale?

19 A. I don't.

20 Q. Do you know whether you got a rebate, for
21 example?

22 A. No, I don't remember.

23 Q. If you look at Paragraph 7 here in the interog
24 response it says that the "monitor was purchased as part
25 of a bundle." Do you see that?

1 A. Mm-hmm.

2 Q. What does that mean?

3 A. That I got, you know, keyboard, monitor,
4 computer together. I didn't buy the monitor separately.

5 Q. So you paid a single price; and for that price
6 you got a keyboard, you got a monitor?

7 A. Right. And a tower.

8 Q. And the tower? Any other --

9 A. A mouse.

10 Q. -- part?

11 Anything else?

12 A. I don't think so, no.

13 Q. Did you get a better price for buying all these
14 products together rather than buying them separately?

15 A. I don't recall.

16 Q. Why did you decide to buy the computer system as
17 a bundle?

18 A. It's a pretty common way, I think, to buy
19 computers at the time. I needed all of it, so...

20 Q. You didn't consider buying a monitor separately?

21 A. Right.

22 Q. And you didn't look into how much that would
23 cost, whether you would get a better deal on a monitor or
24 not?

25 A. No.

1 foundation, misstates testimony.

2 THE WITNESS: No.

3 BY MR. BALLARD:

4 Q. You didn't really look at the quality of various
5 types of monitors?

6 A. No, not in this specific instance.

7 Q. Mr. Johnson made a recommendation and you just
8 sort of took it?

9 A. Right.

10 Q. What about price? I understand you paid a price
11 for the entire system.

12 A. Right.

13 Q. Was there a price range that you were looking
14 at?

15 A. I guess somewhere between 5- and 700 dollars.

16 Q. Where do you get those numbers from?

17 A. I don't know, to be honest with you. Just sort
18 of a guess of what it might have been.

19 Q. Okay. I assume there was some price that you
20 weren't willing to go over?

21 A. Right.

22 Q. You just don't remember what it is?

23 A. Well, I certainly was trying to keep it under a
24 thousand dollars.

25 Q. Do you still have this computer system?

1 A. I do not.

2 Q. What happened to it?

3 A. It probably got picked up by some sort of
4 company when I was moving. I had a bunch of stuff --
5 what is that company Salvation Army works through?

6 Q. I don't know.

7 A. Okay.

8 Q. But a Salvation-Army-type company?

9 A. Right.

10 Q. You donated it, in other words?

11 A. Yes.

12 Q. To charity?

13 A. Yes, more or less.

14 Q. That happened around the time you moved from
15 Auburn to where?

16 A. No. That happened after I moved -- I was in my
17 apartment and then moved into a house in east Nashville.
18 So sometime from that -- from that move.

19 Q. So you originally had this monitor and used it
20 at your home in Auburn?

21 A. Yes.

22 Q. Then you moved where?

23 A. To Georgia. And then I took it with me to
24 Nashville when I moved in 2002 and had it -- it probably
25 just sat in storage for a while. And then I hooked it up

Exhibit B

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

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5
6 In Re: CATHODE RAY TUBE (CRT))
7 ANTITRUST LITIGATION,)
8 Plaintiff,)

Case No.
07-5944 SC
MDL No. 1917

9 This Document Relates to:)
10 ALL ACTIONS,)
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17 VIDEOTAPED DEPOSITION OF LISA REYNOLDS

18 FRIDAY, APRIL 13, 2012
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25 REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

1 Q. Okay. Was there a Target close by?

2 A. Yes.

3 Q. Okay. Was there a Walmart close by?

4 A. Yes.

09:36 5 Q. A RadioShack?

6 A. Yes.

7 Q. A Costco?

8 A. I don't know if there was at that time.

9 Q. Was there a Sam's Club?

09:36 10 A. I don't know if that was there yet.

11 Q. Okay. When did you purchase your first
12 JVC TV?

13 A. Within the time of the class action.
14 Approximately 2000.

09:37 15 Q. And how do you know that?

16 A. Canceled check.

17 Q. A canceled check?

18 A. Yeah.

19 Q. Okay. Do you have the receipt for this
09:37 20 first purchase?

21 A. No.

22 Q. Did you receive a receipt when you made
23 the purchase?

24 A. Yes.

09:37 25 Q. So what did you do with that receipt?

1 Q. Did you negotiate the price with him?

2 A. No.

3 Q. Did you shop around to make sure that you
4 were getting the lowest price possible?

09:45 5 A. No.

6 Q. Do you know where ABC Warehouse bought the
7 second television?

8 A. No.

9 Q. Or when it bought it?

09:45 10 A. No.

11 Q. You testified earlier that there were
12 other retailers where you could have purchased a
13 similar television. I believe you said Sears,
14 Penney's, Circuit City, Best Buy --

09:45 15 A. Yes.

16 Q. -- were some of them? And were all of
17 those retailers still in operation when you made
18 the second purchase?

19 A. Yes.

09:46 20 Q. Okay. So you testified that you purchased
21 the television in approximately 2002 or 2003?

22 A. Yes.

23 Q. Did you receive a receipt?

24 A. Yes.

09:46 25 Q. Do you know what happened to that receipt?

1 A. No.

2 Q. But you no longer have it?

3 A. Correct.

4 Q. And what form of payment did you use?

09:46 5 A. Check.

6 Q. Do you have a canceled check to reflect
7 this purchase?

8 A. No.

9 Q. Was the check drawn on the same bank
09:46 10 account that you used to purchase the first
11 television?

12 A. Probably, yes.

13 Q. Okay. Have you attempted to access your
14 records to locate a canceled check or a statement
09:46 15 that would reflect the purchase?

16 A. Access them how?

17 Q. Through your bank.

18 A. No.

19 Q. You have not?

09:46 20 A. No.

21 Q. Do you have any other documentation that
22 would reflect the purchase?

23 A. Possibly one of the manuals.

24 Q. You have the original packing -- sorry.

09:47 25 A. No.

1 Q. How much did you pay for the second
2 television?

3 A. I don't know.

4 Q. Can you estimate how much you paid for the
09:47 5 second television?

6 A. I would think it would be less than the
7 first since it was a smaller-screen TV.

8 Q. So you estimate that it's less than
9 \$356.03?

09:47 10 A. Yes.

11 Q. But that's just an estimate?

12 A. Yes.

13 Q. So is it possible that the price was
14 actually higher than \$356?

09:47 15 A. It's possible.

16 Q. And it's possible that it was lower?

17 A. Yes.

18 Q. Do you know how much the CRT cost that was
19 contained in your second television?

09:48 20 A. No.

21 Q. Do you remember if the second television
22 was on sale?

23 A. I don't remember for sure, no.

24 Q. Do you remember if you received any
09:48 25 discounts of any kind on the second television?

1 television?

2 A. Yes.

3 Q. When did you purchase the third
4 television?

10:07 5 A. I would estimate within two years of the
6 second television.

7 Q. So between 2004 and 2005?

8 A. Yes.

9 Q. And that's an estimated time frame?

10:07 10 A. Yes.

11 Q. Did you receive a receipt when you
12 purchased the third television?

13 A. Yes.

14 Q. Do you still have that receipt?

10:08 15 A. No.

16 Q. Do you know what became of that receipt?

17 A. No, I don't.

18 Q. Do you know what form of payment you used?

19 A. A check.

10:08 20 Q. A check. And was the check drawn on the
21 same bank account that was used to purchase the
22 first and second JVC televisions?

23 A. I don't think so.

24 Q. Do you know what bank account it was drawn
10:08 25 on?

1 A. Yes, I think so.

2 Q. You believe you know what bank account it
3 was drawn on?

4 A. Yes.

10:08 5 Q. At the time you purchased the third
6 television, did you receive monthly statements from
7 that bank?

8 A. Yes.

9 Q. Did you receive them in paper form,
10:08 10 online?

11 A. I think paper form.

12 Q. Okay. Have you contacted that bank to try
13 and access either your statements or canceled
14 checks from that time period?

10:08 15 A. No.

16 Q. You have not. Do you still have the
17 original packing for that television?

18 A. No.

19 Q. Okay. Do you have any other documentation
10:09 20 to reflect the purchase of the third television?

21 A. No.

22 Q. Do you know how much you paid for the
23 third television?

24 A. No.

10:09 25 Q. Do you know if you paid more for the third

1 television than you did for the first television?

2 A. I don't know.

3 Q. Do you know if you paid less?

4 A. I don't know.

10:09 5 Q. Do you know how much of the purchase price
6 of the third television was accounted for by the
7 CRT?

8 A. No.

9 Q. Was the product on sale?

10:10 10 A. I don't know.

11 Q. Do you know if you received any discounts
12 at all?

13 A. I don't know.

14 Q. Do you know if you received a rebate?

10:10 15 A. I did not.

16 Q. You did not receive a rebate?

17 A. Correct.

18 Q. Did you redeem the rebate?

19 A. There was no rebate.

10:10 20 Q. Oh, I'm sorry.

21 Did you do anything to confirm that the
22 price of the third television you purchased went up
23 or down after you made the purchase?

24 A. No.

10:10 25 Q. Did you buy any accessories with the third

1 Q. BY MS. BYRD: It didn't come back. Okay.
2 Do you feel that the first JVC television was a
3 good product?

4 A. Yes.

10:11 5 Q. Have you had any complaints?

6 A. No.

7 Q. Contacted customer service?

8 A. No.

9 Q. Has the second television been a good
10:11 10 product?

11 A. Yes.

12 Q. Any complaints?

13 A. No.

14 Q. And what about the third television?

10:11 15 A. Not at the time it disappeared. It was
16 good.

17 (Reporter marked [Exhibit No. 85](#) for
18 identification.)

19 Q. BY MS. BYRD: Ms. Reynolds, what is this
10:12 20 document?

21 A. This is a duplicate, a copy of a duplicate
22 for our checking account.

23 Q. Okay. And it appears to me that the
24 check's dated November 17th, 2000, made out to ABC
10:12 25 Warehouse for the amount \$356.03. And you

1 testified earlier that the first JVC TV you
2 purchased was sometime in 2000 and for \$356.03. Is
3 this check the check that purchased the first JVC
4 TV?

10:13 5 A. Yes.

6 Q. Okay. Thanks.

7 (Reporter marked [Exhibit No. 86](#) for
8 identification.)

9 Q. BY MS. BYRD: Ms. Reynolds, what is
10:13 10 Exhibit 86?

11 A. It's a copy of the front page of the
12 user's guide.

13 Q. Okay. Do you know which JVC TV this user
14 guide related to?

10:13 15 A. No.

16 Q. You don't. But is it fair to say that it
17 relates to one of the three JVC televisions we've
18 discussed today?

19 A. Yes.

10:14 20 Q. You're just not sure which one
21 specifically?

22 A. Correct.

23 Q. Thanks.

24 (Reporter marked [Exhibit No. 87](#) for
10:14 25 identification.)

Exhibit C

✓ Track Your Expenses...

☐ Mortgage / Rent ☐ Transportation ☐ Entertainment & Travel

☐ Gas / Electric ☐ Credit Card ☐ Medical / Dental

☐ Telephone ☐ Taxes ☐ Dependent Care

☐ Food ☐ Insurance (Life, Home, Auto) ☐ Savings & Investment

☐ Clothing ☐ Home Improvement (Maintenance, Repairs) ☐ Other _____

DO NOT USE FOR REORDERING 2421

Nov. 17, 2000

BAL. FOR D

THIS PAYMENT 356.93

BALANCE

OTHER

BAL. FORT

Here's How:

- Carry balance forward
- Check type of expense
- Add details on memo line
- Retain duplicates in Deluxe Check box

Memo

ABC Warehouse

Three hundred fifty six and 9/100

NOT NEGOTIABLE



CRT000518

Exhibit D

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No.
CV-07-5944-SC

This Document Relates to:

MDL No. 1917

ALL INDIRECT PURCHASER ACTIONS

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Deposition of:

BRIGID TERRY

Janesville, Wisconsin

October 17, 2012

Reported by: Taunia Northouse, RDR, CRR

1 A At a place -- an appliance store called
2 The Village in Janesville. It no longer is in
3 business.

4 Q And when did you purchase the television?

5 A I'm not positive, but I'm thinking 1997-98. 1998,
6 yeah.

7 Q Do you have any documentation regarding that
8 purchase?

9 A I do not.

10 Q Do you remember how you purchased this television?

11 A I don't.

12 Q Do you remember if you paid cash?

13 A I don't remember.

14 Q Did you use a credit card?

15 A I don't remember.

16 Q Or did you write a check?

17 A I most certainly did one of those three things,
18 and I don't remember what I did.

19 Q Okay.

20 A I doubt I paid cash.

21 Q Do you remember about how much you paid for this
22 television?

23 A Yes. I believe it was between \$600 and a thousand
24 dollars. About \$800 sticks out in my head.

25 Q But you can't recall for sure?

Brigid Terry

1 A I cannot.

2 Q Did you look through your credit card statements
3 from the 1997 to '98 period to see if you had any
4 purchases at The Village?

5 A I tried to do that. I didn't have -- I don't have
6 those records personally anymore. And when I went
7 to my bank, they said they didn't have those
8 available for me.

9 Q And you checked all of your credit cards in your
10 checking account; is that right?

11 A I did.

12 Q And you mentioned you think it was 1997 or 1998.
13 Is it possible that you purchased the television
14 before 1997?

15 A No.

16 Q Why is it not possible?

17 A I was divorced in 1996, and I know that I
18 purchased this television after I was divorced. I
19 don't think it was that soon after. That's my
20 memory.

21 Q Okay. And did you retain any manuals or documents
22 that came inside the box?

23 A I did keep the owner's manual. I believe that
24 Seymour Mansfield's office has that.

25 Q And do you know whether that was produced to

Brigid Terry

1 A In my family room.

2 Q And you testified just now that you estimate that
3 the price of the product was between 600 and a
4 thousand dollars. Is it possible it could have
5 been more than a thousand or maybe less than 600?

6 A It wasn't less than 600. I'd be surprised if it
7 were less than 600.

8 I suppose it could have been more than a
9 thousand, but I don't know for sure.

10 Q So it's fair to say that you did not keep a
11 receipt for this purchase?

12 A That is fair to say.

13 Q Do you know when you disposed of it?

14 A Nope.

15 Q Ms. Terry, do you recall if you paid taxes on the
16 purchase of this television?

17 A I imagine that I did, yes.

18 Q Do you recall what taxes? Was it sales tax?

19 A I imagine, yeah.

20 Q Do you remember what percent sales tax was applied
21 to the purchase of the television?

22 A I don't remember.

23 Q Do you recall if the Toshiba television was on
24 sale when you purchased it?

25 A I do not recall that it was on sale, and I don't

1 Q Do you know when The Village purchased the
2 television?

3 A No.

4 Q Did The Village offer a low price guarantee?

5 A Not that I recall.

6 Q Do you recall if the price went down or was
7 reduced after you bought the television?

8 A I have no idea.

9 Q So previously you estimated that the cost of the
10 TV that you bought was about \$600 to a thousand
11 dollars?

12 A Yes.

13 Q Do you know how much of that cost can be
14 attributed to the cost of the CRT that's inside
15 the television?

16 A I do not.

17 Q Did the television come with any accessories?

18 A A remote control.

19 Q Was it part of a bundle? Was there a VCR player,
20 a DVD player that came with it?

21 A Not that I recall, no.

22 Q Were there any feature discounts or incentives
23 that were offered either by the manufacturer of
24 the television or by The Village?

25 A Not that I recall.

Exhibit E
(Filed Under Seal)

Exhibit F

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No.
07-5944 SC
MDL No. 1917

- - - - -

This Document Relates to:
INDIRECT PURCHASER ACTIONS

- - - - -

SUPERIOR COURT OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

- - - - -

STATE OF CALIFORNIA,

Plaintiffs

vs.

Case No.
CGC-11-51584

SAMSUNG SDI, INC., CO., LTD., et al.,

Defendants.

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VIDEOTAPED TRANSCRIPT of ALVIN GUTTMAN
in the above-entitled matter, as taken by and before
LORRAINE B. ABATE, a Certified Shorthand Reporter,
Registered Professional Reporter, and Notary Public,
held at the offices of White & Case, 701 Thirteenth
Street, NW, Washington, DC, on October 11, 2012,
commencing at time 10:03 a.m., pursuant to Notice.

1 Guttman - October 11, 2012

2 Q. And you commute to D.C. for work?

3 A. That is correct.

4 Q. How often do you commute?

5 A. From the fall through the spring,
6 usually on a weekly basis.

7 Q. By weekly basis, what do you mean?

8 MR. GRALEWSKI: I'm going to object to
9 these questions as outside the scope of the
10 deposition notice.

11 A. I generally come to Washington Monday --
12 on Monday, and leave Thursday or Friday.

13 Q. Okay. And I'm sorry, I'm sorry, what
14 month do you say you commute?

15 MR. GRALEWSKI: Same objection.

16 A. In the spring to the fall. In the
17 summertime, I tend to be in Washington D.C.
18 full-time, except for a two-week vacation.

19 Q. So is it possible that you could have
20 been in Florida when you purchased the Dell 1100?

21 A. No.

22 Q. You recall being in D.C. when you made
23 that purchase?

24 A. I do.

25 Q. Okay. So what was included in the

1 Guttman - October 11, 2012

2 purchase of the Dell 1100?

3 A. A monitor screen, a mouse, and a
4 keyboard.

5 Q. Was there anything else?

6 A. I don't believe so, no.

7 Q. So the monitor, mouse and keyboard came
8 with the computer?

9 A. As a package, that's correct.

10 Q. You didn't purchase the monitor
11 separately; is that right?

12 A. I did not.

13 Q. What was the brand of the monitor?

14 A. The name was Dell on the monitor itself.

15 Q. So both the computer system and the
16 monitor were Dell?

17 A. To the best of my knowledge, yes.

18 Q. Do you remember the model number of the
19 monitor?

20 A. I do not.

21 Q. Is Dell a defendant in this case?

22 A. I don't believe so.

23 Q. Do you know why not?

24 A. Dell is a packager of the product.
25 They're a -- they do not produce CRTs.

1 Guttman - October 11, 2012

2 A. This LCD screen, probably about four or
3 five months. There was another LCD screen that's
4 been there for two -- maybe two or three years.

5 Q. Okay. So you don't recall what happened
6 to the CRT monitor before the LCD screens were
7 purchased?

8 A. Please repeat that.

9 Q. I'm sorry. I'll rephrase.
10 You don't know what happened to the
11 monitor of the Dell 1100 before the LC -- before you
12 replaced it with the LCD screens?

13 A. It was used with the 1100.

14 Q. But you don't know what happened to it
15 after you replaced it?

16 A. I think it was recycled.

17 Q. Recycled?

18 A. Could have been, yes.

19 Q. Okay. Could it have been sold?

20 A. No.

21 Q. No. Okay.

22 And -- but you don't think that Lawyer's
23 Choice still holds -- still has the monitor, that's
24 right?

25 A. I don't believe so.

1 Guttman - October 11, 2012

2 Q. Did this \$100 discount represent you
3 getting the monitor for free?

4 MR. GRALEWSKI: Object to the form.

5 Asked and answered. Lacks foundation.

6 Argumentative.

7 A. I don't believe so.

8 Q. Why not?

9 MR. GRALEWSKI: Object to the form.

10 Lacks foundation. Calls for speculation. Calls
11 for legal and expert testimony.

12 A. It was a package, an overall package.
13 If you purchased the package, you get a \$100 discount
14 if you purchase it within a certain period of time.

15 Q. So are you saying that the \$100 discount
16 came because you purchased it as a package?

17 A. Yes.

18 Q. So this wasn't an addition to the
19 package price -- I'm sorry, I'm not stating that
20 clearly.

21 If you'll turn to 908, where it says
22 unit price, \$877.

23 A. Correct.

24 Q. Does that represent the package price of
25 this unit?

1 Guttman - October 11, 2012

2 foundation, calls for speculation.

3 A. Again, this was on-line. And I may have
4 pushed an icon that allowed for a \$100 discount
5 before I even saw the whole package. I can't recall.

6 Q. Okay. Let's talk about the second
7 discount.

8 Was this free shipping discount a coupon
9 that you used?

10 A. I don't recall.

11 Q. Was it a sale or promotion from Dell
12 that expired on May 4th, 2006?

13 A. According to page 3, it is, yes.

14 Q. Do you know how you would have found out
15 about that promotion?

16 A. On the website.

17 Q. Could you have found out about it from a
18 newsletter or e-mail from Dell?

19 A. It's possible.

20 Q. The discount says it was for small
21 business customers.

22 Did Lawyer's Choice have to apply for
23 this discount?

24 A. I believe I filled a form out that gave
25 me an ID number.

1 Guttman - October 11, 2012

2 Q. Why don't you think so?

3 A. Well, I don't have a computer in
4 Washington D.C. that I typically use. I don't think
5 we had smart phones back then. So this is -- I guess
6 I would like to look at my original e-mail they
7 confirmed back immediately. And I don't know if this
8 is an order that was placed by their computer or by
9 me. I honestly don't know.

10 Q. You don't know. Okay.

11 So you couldn't have been at home in
12 Florida when you purchased this computer?

13 MR. GRALEWSKI: Object to the form.

14 Badgering, asked and answered. Argumentative.

15 A. It's not likely.

16 Q. Why do you say that?

17 A. Because typically when I need something,
18 it's during my time in Washington. It just
19 doesn't -- I can't see myself ordering a computer for
20 Washington D.C. out of Florida at 10:30 at night. I
21 don't -- I really don't recall.

22 Q. Okay. Is it possible?

23 A. It's conceivable, yeah.

24 Q. Did you -- if I'm not mistaken, earlier
25 today when you were testifying about the -- one of

Exhibit G

Page 1 of 4

Al Guttman

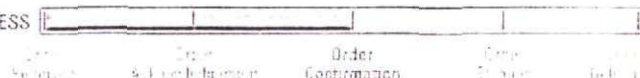
From: "Dell Inc." <SMB_OnlineOrder_Resolution@Dell.com>
To: <LAWSUITES@ATT.NET>
Sent: Monday, March 20, 2006 5:55 PM
Subject: Dell Order Confirmation - 881079786



Thank you
 for your recent purchase.



[Desktop](#) [Notebooks](#) [Printers](#) [Software & Peripherals](#) [Service & Support](#)

ORDER PROGRESS**Make the most of your system with our online classes!**

Includes courses such as Wireless Networking, Microsoft® Office XP, QuickBooks and more

We'd like to thank you again for your order. Below you will find your order details.

Track Your Order

To track your order and view your order details, visit [Order Status](#).

Customer number: 65289009

Order number(s): 881079786

Estimated shipping date¹: Friday, March 24, 2006

Online Support

[Customer Care](#)

[Rebate Information](#)

[Technical Support](#)

[Warranty Information](#)

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[Exclusive E-mail Savings](#)

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[Learn about Dell's Award-Winning Service and Support](#)

Your Purchase Information

Payment Method:
 Pay with one credit/debit card online

Bill To:
 Alvin Guttman
 Lawsuites@att.net

Shipping/Handling Method:
 3-5 Day Delivery

Ship To:
 Alvin Guttman
 Lawsuites@att.net



3/20/2006

CRT000907

910 17th Street, NW 800
 Washington, DC 20006
 (301) 6067239 (work)

910 17th Street, NW 800
 Washington, DC 20006
 (301) 6067239 (work)

Order Details

Order detail - order placed 2006-03-20 22:35:55

Dimension 1100 P4

Intel® Pentium® 4 Processor

(2.80GHz, 533 FSB), Genuine

Windows® XP Professional

Qty: 1
 Unit Price: \$877.00

Processor	Intel® Pentium® 4 Processor (2.80GHz, 533 FSB)	WP285B	[221-9743]
Memory	512MB DDR SDRAM at 400MHz	512M4	[311-5364]
Keyboard	Dell USB Keyboard	EK	[310-5324]
Monitors	17 inch E773 (16 inch viewable) Conventional CRT	E773	[320-4544]
Video Cards	Integrated Intel® Extreme Graphics 2	IV	[430-3900]
Internal Hard Drives	80GB Ultra ATA/100 7200RPM Hard Drive	80	[340-3274]
Floppy Drive	3.5 in Floppy Drive	FD	[341-2759]
			[412-0688]
			[412-0721]
			[420-4838]
Operating System	Genuine Windows® XP Professional	WPXP	[420-4927]
			[420-5477]
			[420-5789]
			[463-2282]
Mouse	Dell® 2-button USB mouse	SM	[310-5264]
Network Interface	Integrated 16/100 Ethernet	IN	[430-0441]
Modem	No Modem Requested	N	[313-3607]
Document Management	Adobe® Acrobat® Reader 6.0	AAREAD	[412-0705]
CD or DVD Drives -			
Read, Write and Store Data	Single Drive: 48x CD-RW Drive	48CDRW	[313-4094]
			[420-5787]
Sound	Integrated 2.0 Channel Audio	IS	[313-2758]
Speakers	No speakers (Speakers are required to hear audio from your system)	N	[313-2198]
Productivity Software	Microsoft Office Basic - Includes Word, Excel and Outlook email	BASIC	[412-0448]
Pre-Installed Security Software	No Security Subscription	NS2	[412-0880]
Pre-Installed Digital Music	Musicmatch by Yahoo! Music - Basic music software	MMBASE	[412-0613]
Digital Photography	Photo Album™ SE Basic	OPS	[412-0645]
			[412-0359]
			[950-9797]
			[960-6380]
			[960-7430]
			[981-9268]
			[983-2207]
Onsite System Setup	No Onsite System Setup	NOINSTL	[900-9987]
Internet Access Service	8 Months of America Online Membership Included	AOLSM8	[412-0586]
Mail-In Rebate	None	NONE	[412-0687]
Miscellaneous	Dimension 1100	11P4MIN	[484-5005]
Financial Software	No QuickBooks package selected- Includes limited use trial	QBSSP	[484-5100]
Pre-Installed Operating System			
Re-Installation CD	PC Restore recovery system by Symantec	PCR	[420-5136]
Purchase Intent	Purchase is not intended for resale.	NOT4SEL	[484-5503]
			[482-4506]

Get \$100 instantly off your

3/20/2006

CRT000908

Dimension 1100!
Expires on 2006-03-24 05:59:59 - \$100.00

ADDITIONAL DISCOUNTS AND COUPONS

Small Business customers receive
FREE 3-5 day Shipping on select
Systems and Servers! A \$24
handling charge will apply
Expires on 2006-05-04 11:30:00 - \$66.00

Sub-Total	\$777.00
Shipping Discount	-\$66.00
Shipping	\$ 24.00
Tax	\$46.06
Total	\$847.06

Important Things to Know

- Dell cannot be responsible for pricing or other errors, and reserves the right to cancel any orders arising from such errors. All sales are subject to Dell's Terms and Conditions of Sale located at <http://www.dell.com/terms> unless you have a separate agreement with Dell.
- Each order number represents a separate purchase and will be shipped and submitted for payment authorization separately. Consequently, some software and peripherals (including, but not limited to, monitors, scanners and printers) may be shipped to you separately from your system. Each order is subject to approval by Dell.
- If your method of payment was a credit card, a charge for the amount above was submitted to your card issuer and will be charged when your system or item ships.
- If your order contains downloadable software, you will receive an email with a link. This email should arrive to you in approximately 10 to 30 minutes. The email link will direct you to our download site. Click the link and follow the instructions to begin the download process.
- You can also contact us by sending an e-mail to SMB_onlineorder_resolution@dell.com, we will respond within 2 business hours. Or call 1-877-284-3355, option 4, Monday-Friday, 7 a.m. - 8 p.m. CST.

Thanks again for choosing Dell. We appreciate your business.

Sincerely,

Dell Small Business

3/20/2006

CRT000909

Exhibit H

AUSTIN TX 78758

SHIP TO: ATIN ALVIN H. LUTTMAN
DIME 3016067249
ANNAVILLE 55001 N.E.
910 17TH STREET NW B00
WASHINGTON DC 20005

SOLD TO: EARTHTECH/SAFE NFI
NATION 2249
WASHINGTON DC 20005

PAGE 1

CUSTOMER 65289009	CUSTOMER D.O.B.	SALES REP 12
ORDER # 881079786	SHIP DATE 23-MAR-06	ORDER DATE 20-MAR-06
SHIP VIA UPS	PACKED, BUILT BY SALES REP	

BOX	QTY	ITEM #	DESCRIPTION
1	1	221-9743	17 IN 11.6 D VIEWABLE F270 17 DIM B
2	1	320-4944	17 IN 11.6 D VIEWABLE F270 17 DIM B
1	1	221-9743	17 IN 11.6 D VIEWABLE F270 17 DIM B
1	1	341-2750	3.5 IN 1.44MB FLOPPY
1	1	311-4094	48X CD-RW DRIVE DIM B
1	1	311-5384	512MB DDR-SDRAM 400M NIM ECU-22256 DIM
1	1	340-3274	8008 7200 RPM 16A ATA DIM V
1	1	412-0705	ADORE ACROBAT READER 5.0
1	1	412-0586	ALL BUS/SMB
1	1	420-5477	DELL DIRECT DOWNLOAD 9MB DIM INSP
1	1	412-0721	DELL SUPPORT 3.0 DIM 2000 AR03-4780
1	1	310-8264	DELL USB 2-BUTTON MOUSE DIM
1	1	310-5324	DELL USB KEYBOARD
1	1	412-0688	IMAGE RESTORE DIM
1	1	313-2755	INTEGRATED AUDIO
1	1	420-5759	ISP SEARCH ASST PORTAL DIM/INSP
1	1	412-0850	MURPHY 7.0 GEN ENG 9000 DIM/INSP
1	1	412-0448	MICROSOFT OFFICE 2003 BASIC EDITION DIM
1	1	412-0813	MUSIC MATCH 10.1 BASIC DIM/INSP
1	1	412-0687	NETZERO 1SP DIM/INSP
1	1	311-2158	NO SHAKER REQUESTED DIMENSION
1	1	412-0845	PHOTO ALBUM 5.0 STARTER DIM/INSP

SEE REVERSE SIDE FOR
IMPORTANT INFORMATION
LIFT HERE - PULL UP GENTLY TO REMOVE PACKING L

W20JNF P912881079786

JNFZP91

Service
TAG

TOTAL 21 80



DELL SHIP DATE: 23MAR06
30.90 LBS 1 OF 2

SHIP TO: ATTN: ALVIN H GUTTMAN
PHONE: 3016062239
LAWSUITES@ATT.NET
910 17TH STREET, NW 800
WASHINGTON DC 20006

MD 200 0-89

UPS Ground
IZ E72 A78 42 1154 0936

Signature Required

W20JNF7P912881079786

JNFZP91 Service TAG



Exhibit I

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,) Master File No.
)
) 3:07-cv-05944 SC
)

THIS DOCUMENT RELATES TO:)
)
)
ALL INDIRECT PURCHASER ACTIONS) MDL No. 1917
)
)

VIDEOTAPED DEPOSITION OF JEFFREY FIGONE

Held at Winston & Strawn
101 California Street, 39th Floor
San Francisco, California

Friday, October 19, 2012

10:06 a.m. - 1:56 p.m.

REPORTED BY: JAMES BEASLEY, RPR, CA CSR No. 12807

1 A. That's correct.

2 Q. Which was?

3 A. Novato.

4 Q. Do you have any documents that could verify
11:15 5 where you purchased the Panasonic television,
6 whether at Costco or at Target?

7 A. No, I don't.

8 Q. At one time did you have a receipt for your
9 purchase of the Panasonic television?

11:16 10 A. At the time, yes.

11 Q. What happened to that receipt?

12 A. I don't recall.

13 Q. Is it your practice to keep receipts for
14 electronic products a certain amount of time after
11:16 15 the purchase?

16 A. Not necessarily.

17 Q. Is there any possibility you still have
18 that receipt today?

19 A. No.

11:16 20 Q. Why not? What makes you say "no"?

21 A. I have looked.

22 Q. And where did you look?

23 A. In places where I believed the receipt was.

24 Q. Can you identify those places, please?

11:16 25 A. At home, receipt box.

1 Q. Does this label indicate who would
2 manufacture that CRT, if there is a CRT inside this
3 television?

4 A. Not that I can recall.

11:47 5 Q. Okay. Are there any labels anywhere on the
6 Sharp television with information about the CRT tube
7 that might be inside?

8 A. Not that I can recall.

9 Q. Were you the only person involved in the
11:47 10 acquisition of the Sharp television?

11 A. Yes.

12 Q. What form of payment did you use to
13 purchase the Sharp television?

14 A. I don't recall.

11:47 15 Q. Could it have been cash?

16 A. Yes.

17 Q. Could it have been check?

18 A. No.

19 Q. Could it have been a credit card?

11:48 20 A. Maybe.

21 Q. Could it have been some other form of
22 payment?

23 A. I don't recall.

24 Q. Did you do anything to try to obtain a
11:48 25 credit card statement or bank account statement that

1 might verify the purchase of this Sharp television?

2 A. Tried.

3 Q. And what did you do in that respect?

4 A. Looked at receipts.

11:48 5 Q. Do you mean that you looked at hardcopy
6 receipts that are in your home today?

7 A. Today?

8 Q. Well, what receipts did you look at?

9 A. Receipts, trying to find a receipt
11:48 10 referring to the Sharp.

11 Q. And those are the receipts that are in a
12 box that you keep in your home?

13 A. There's no receipts there.

14 Q. I understand there are no receipts for this
11:48 15 television in particular, but what I'm trying to get
16 at is, where did you search?

17 A. In the receipt box.

18 Q. That's in your home?

19 A. (Witness nodded head up and down.)

11:49 20 Q. And did you contact the bank that you had
21 at the time you purchased the Sharp television to
22 see if they had any records of the purchase?

23 A. I don't recall.

24 Q. You don't recall if you contacted the bank?

11:49 25 A. (Shook head from side to side).

1 2002, 2003, or some other year?

2 A. In that vicinity.

3 Q. In that vicinity?

4 A. Right.

12:49 5 Q. What is that recollection based on?

6 A. To the best of my knowledge at the time.

7 Q. Do you have a receipt for the Panasonic
8 television?

9 A. No, I don't.

12:49 10 Q. Did you ever have a receipt at any time for
11 the Panasonic television?

12 A. I believe I did.

13 Q. And what happened to that receipt?

14 A. I don't know.

12:49 15 Q. How long did you keep that receipt?

16 A. I don't know.

17 Q. Did you have that receipt at the start of
18 this litigation in 2007?

19 A. No, I did not. I'm sorry.

12:50 20 Q. What form of payment did you use to
21 purchase the Panasonic television that you kept in
22 the kitchen?

23 A. I am not sure.

24 Q. Could it have been cash?

12:50 25 A. Yes.

1 television in some other year?

2 A. No.

3 Q. No?

4 A. No.

01:05 5 Q. Why not?

6 A. Because to the best of my recollection,
7 that's what I've put down.

8 Q. Do you have a receipt for the Panasonic
9 television that you kept in your son's room?

01:05 10 A. No, I don't.

11 Q. At any time did you have a receipt for that
12 television?

13 A. Yes.

14 Q. Do you remember how long you kept that
01:05 15 receipt?

16 A. No, I don't.

17 Q. Do you remember why you threw the receipt
18 away?

19 A. No, I don't.

01:06 20 MR. GRALEWSKI: Object to the form. Lacks
21 foundation.

22 BY MS. DONOVAN:

23 Q. Did you have the receipt at the start of
24 this litigation?

01:06 25 A. No, I did not.

1 relevant?

2 A. Well, I don't have the TVs, so, I mean, I
3 didn't do anything on purpose.

4 Q. I understand that. Other than the TVs,
01:21 5 have you destroyed any receipts, manuals, user's, or
6 other documents --

7 (Overlapping speakers.)

8 THE WITNESS: Nothing that was done in --
9 on purpose, but I don't have them, so I don't know
01:21 10 where they've gone.

11 BY MS. DONOVAN:

12 Q. Okay. Whether it was on purpose or not,
13 did you, by accident or mistake, destroy any
14 documents that were potentially relevant in this
01:21 15 case since the start of this litigation?

16 A. I would say yes.

17 Q. Which documents?

18 A. All the documents that we've been speaking
19 about. I don't have receipts. I don't have -- if I
01:22 20 had them, I'd bring them to you.

21 Q. Do you think you had those receipts when
22 this litigation was started, in 2007, or do you
23 think those receipts disappeared before this
24 litigation was started?

01:22 25 A. If I would have had them at the time, I

Exhibit J

10:11:09 1 A. The TruTech.

10:11:14 2 Q. And that was a television or monitor?

10:11:16 3 A. A television.

10:11:16 4 Q. And approximately when did you purchase that
10:11:19 5 TruTech television?

10:11:20 6 A. It was in 2006.

10:11:22 7 Q. Okay. Did you ever resell any of the products
10:11:25 8 that you purchased containing a CRT?

10:11:29 9 A. I don't think I've ever sold one, no. I've
10:11:33 10 given them away before.

10:11:36 11 Q. So the TruTech television that you purchased
10:11:38 12 that's the subject of your claims, what size screen,
10:11:42 13 approximately, is that television?

10:11:43 14 A. I believe it's a 13-inch, but that's -- could
10:11:47 15 be smaller.

10:11:48 16 Q. Okay. And where did you purchase that
10:11:52 17 television?

10:11:53 18 A. At Target.

10:11:55 19 Q. And where was that Target located?

10:11:58 20 A. In Cedar Rapids, Iowa.

10:12:00 21 Q. Do you remember approximately when you
10:12:01 22 purchased that TV?

10:12:03 23 A. Spring/summertime of 2006.

10:12:13 24 Q. Were you living in Cedar Rapids, Iowa, at the
10:12:17 25 time you purchased it?

10:12:18 1
10:12:21 2
10:12:24 3
10:12:27 4
10:12:27 5
10:12:29 6
10:12:31 7
10:12:33 8
10:12:36 9
10:12:41 10
10:12:41 11
10:12:43 12
10:12:46 13
10:12:49 14
10:12:50 15
10:12:56 16
10:12:59 17
10:13:00 18
10:13:01 19
10:13:02 20
10:13:03 21
10:13:05 22
10:13:09 23
10:13:12 24
10:13:15 25

A. Yes.

Q. And why did you purchase the television?

A. Just for an extra television for a spare bedroom.

Q. You use it in your home?

A. Yes.

Q. How much did you pay for that television?

A. Around \$200.

Q. Did you keep the receipt for that television purchase?

A. No, I did not.

Q. Okay. So is it fair to say that you don't know the exact price of what you paid for the TruTech television?

A. No. It would be within -- like \$20 of \$200.

Q. So it's possible it was a little bit more, a little bit less than --

A. Yes.

Q. -- \$200?

A. Yes.

Q. How did you pay for that television?

A. Cash. I should say I'm pretty sure cash, either that or my debit card.

Q. But do you remember when you lost the receipt or got rid of the receipt for the television?

Exhibit K

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY Master File No.
TUBE (CRT) ANTITRUST CV-07-5944 SC
LITIGATION, MDL NO. 1917

 Judge: Hon. Samuel Conti
 Special Master:
 Hon. Charles Legge (Ret.)

This Document Relates to:
ALL INDIRECT PURCHASER ACTIONS

DEPOSITION OF
DAVID G. NORBY

Taken October 19, 2012

Scheduled for 9:00 a.m.

Reported By: Lori Morrow, RPR, CRR, CLR

1 A Yes.

2 Q Okay. You can go ahead and set that
3 verification aside.

4 Now, Mr. Norby, did you personally purchase an
5 electronic product containing a cathode ray tube?

6 A Yes.

7 Q And what product was that?

8 A A Magnavox TV.

9 Q Do you recall approximately when you purchased
10 that TV?

11 A January of 2006.

12 Q Is that the only product for which you are
13 claiming damages in this case?

14 A Yes.

15 Q Did you purchase any other products containing
16 CRTs during the 1995 to 2007 period?

17 A No.

18 Q And do you currently own that Magnavox
19 television?

20 A Yes

21 Q Can you approximate for us the size of the
22 Magnavox television that you purchased that's the subject
23 of your claims?

24 A I believe it's a 27-inch screen.

25 Q And by a 27-inch, do you mean the height,

1 And all those pictures that we introduced,
2 Exhibit 443, 444, and 442, those are pictures of the
3 Magnavox television that is the basis of your claims in
4 this case. Is that right?

5 A Yes.

6 Q Where did you purchase that Magnavox
7 television?

8 A At Target.

9 Q And where was that Target located?

10 A Woodbury, Minnesota.

11 Q You mentioned that you purchased it in about
12 January of 2006. Is that correct?

13 A Yes.

14 Q Did you have a receipt for that purchase?

15 A No.

16 Q Do you remember when you disposed of that
17 receipt?

18 A No.

19 Q How did you pay for that television?

20 A With a credit card.

21 Q Do you remember which credit card?

22 A It was our -- yes, a Visa.

23 Q Okay. And did you look for credit card
24 statements from that Visa that would reflect the purchase
25 of this television at Target?

Exhibit L

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

---o0o---

In Re: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,)
Plaintiff,)

Case No.
07-5944 Sc
MDL No. 1917

This Document Relates to:)
ALL ACTIONS,)

VIDEOTAPED DEPOSITION OF BARRY KUSHNER
FRIDAY, MARCH 2, 2012

REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

1 time you purchased the Toshiba television?

2 A. No.

3 Q. Did you look for sales or discounts on
4 televisions at the time?

09:23 5 A. No.

6 Q. Do you know where the store you purchased
7 the television from obtained the television?

8 A. No.

9 Q. For example, you don't know if the store
09:23 10 obtained the television direct from the TV
11 manufacturer?

12 A. No.

13 Q. Do you know how much the store paid for
14 the TV?

09:23 15 A. No.

16 Q. But the store most likely bought the
17 television new?

18 MR. GRALEWSKI: Object to the form of the
19 question.

09:24 20 THE WITNESS: I would hope so.

21 Q. BY MS. DONOVAN: Do you have a receipt for
22 the Toshiba television?

23 A. I do not.

24 Q. Did you ever receive a receipt?

09:24 25 A. Probably.

Exhibit M

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,)
Plaintiff,)
Case No.)
07-5944 SC)
MDL No. 1917)
_____)
_____)
This Document Relates to:)
ALL ACTIONS,)
_____)

VIDEOTAPED DEPOSITION OF CHARLES JENKINS
WEDNESDAY, NOVEMBER 14, 2012

REPORTER: MELISSA MAGEE, CSR, RMR

09:48 1 own recollection?

09:48 2 A Um-hum (affirmative response).

09:48 3 Q And you mentioned that there were
09:48 4 certain things going on at the time. Can you
09:48 5 specify what some of those things were?

09:48 6 A Well, I had just started dating my
09:49 7 girlfriend, and she told me that she couldn't
09:49 8 marry someone until you've been dating them for
09:49 9 two years. And I knew that my son was going to
09:49 10 graduate in 2007, and I had just started dating
09:49 11 her in 2005. So that's kind of how I remember
09:49 12 that.

09:49 13 Q Got you. Okay.

09:49 14 MR. METHVIN: I like it.

09:49 15 BY MS. BYRD:

09:49 16 Q Do you have a receipt for your
09:49 17 Durabrand television?

09:49 18 A No, I don't have -- didn't keep the
09:49 19 receipt.

09:49 20 Q Do you recall what form of payment you
09:49 21 used?

09:49 22 A I wrote a check for it.

09:49 23 Q Did you purchase the television in one
09:49 24 lump sum?

09:49 25 A Yes.

10:19 1 obviously a typographical error.

10:19 2 MR. PAPALE: Okay.

10:19 3 THE WITNESS: '97.

10:19 4 BY MS. BYRD:

10:19 5 Q Okay. So it's your testimony it's
10:19 6 '97?

10:19 7 A Yes.

10:19 8 Q I just wanted to be sure. Okay. And
10:19 9 how do you know that you bought the Packard
10:19 10 Bell in 1997?

10:19 11 A My mother passed away in 1996 and left
10:19 12 an inheritance to her children, which we were
10:19 13 able to get about -- approximately a year after
10:19 14 she passed away, and that is the money that I
10:19 15 used to purchase this computer and monitor
10:19 16 with.

10:19 17 Q Okay. So is it fair to say that your
10:19 18 testimony of when you purchased the Packard
10:19 19 Bell is based on your own recollection?

10:19 20 A Um-hum (affirmative response).

10:19 21 Q Okay. Do you have a receipt?

10:19 22 A No.

10:19 23 Q Do you recall what form of payment you
10:19 24 used to purchase the monitor?

10:19 25 A Cash.

Exhibit N

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

---o0o---

In Re: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,)
)
Plaintiff,)

Case No.
07-5944 Sc
MDL No. 1917

_____)
This Document Relates to:)
)
ALL ACTIONS,)
_____)

VIDEOTAPED DEPOSITION OF GLORIA COMEAUX

MONDAY, OCTOBER 15, 2012

REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

1 that that was the sale price?

2 A. Yeah, I remember that because I was
3 waiting for them to go on sale because I was told
4 they was going on sale at Walmart.

11:27 5 Q. And you were told you -- it was going on
6 sale by who?

7 A. I mean, you know, like when the sale
8 papers come out, you say, "Oh, watch, don't buy it
9 yet because Walmart is going to have this great
11:27 10 sale."

11 Q. Okay. So that's what you were waiting
12 for?

13 A. Right.

14 Q. Okay. Do you have a receipt for the
11:27 15 television that you bought?

16 A. No. It was a long time ago.

17 Q. Do you remember what you did with the
18 receipt?

19 A. Well, I keep them for a little while, but
11:27 20 I don't really keep stuff long.

21 Q. So you did get a receipt when you bought
22 it?

23 A. Oh, yeah.

24 Q. But you don't remember what happened to
11:27 25 it?

Exhibit O
(Filed Under Seal)

Exhibit P

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

---o0o---

In Re: CATHODE RAY TUBE (CRT))
ANTITRUST LITIGATION,)
Plaintiff,)

Case No.
07-5944 Sc
MDL No. 1917

This Document Relates to:)
ALL ACTIONS,)

VIDEOTAPED DEPOSITION OF GARY HANSON

FRIDAY, MAY 4, 2012

REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

1 or my lake property.

2 Q. You don't know where this photo was taken
3 at?

4 A. I can't recall where it was at the time I
09:54 5 took the photo, no.

6 Q. Okay. As I mentioned earlier, looks like
7 a label on the bottom right corner that says
8 "Hanson, Gary" and has a model number and a serial
9 number. Where did this label come from?

09:54 10 A. I don't know.

11 Q. You didn't put it on there?

12 A. No.

13 Q. Do you know where the information for the
14 model number and the serial number came from?

09:54 15 A. I provided that.

16 Q. You have documentation that shows the
17 model number and the serial number for this TV?

18 A. Yes, the card on the TV itself.

19 Q. You read it off of that card?

09:54 20 A. Yes, yes.

21 Q. What size is this TV?

22 A. Guessing, 25-inch.

23 Q. Okay. And just looking back at this
24 Exhibit B19 we were talking about, if I'm reading
09:55 25 this correctly, it says that you purchased this in

1 1995?

2 A. Correct.

3 Q. When in 1995 did you purchase it?

4 A. That I don't recall.

09:55 5 Q. How do you know that it was in 1995?

6 A. Because when I looked at the TVs that I
7 currently have at the time in 2008, this particular
8 model, as I recall, indicated it was manufactured
9 in 1995, and I would have purchased it somewhere
09:56 10 after the time it was manufactured, but I do not
11 have specific records with the exact date of
12 purchase.

13 Q. So you don't have any way of determining
14 in what month in 1995 you purchased this?

09:56 15 A. No, I do not.

16 Q. Did you purchase this new or used?

17 A. New.

18 Q. Do you have any documents that might shed
19 light on when you purchased this?

09:56 20 A. No, I do not.

21 Q. Other than this photo, do you have any
22 other documents at all relating to this TV?

23 A. No.

24 Q. You don't have any receipts, for example?

09:56 25 A. No.

1 Q. And did you take this photo?

2 A. Yes.

3 Q. And it looks like you took it on the same
4 day as the photo that we just looked at; is that
10:03 5 right?

6 A. Yes.

7 Q. And where was this photo taken?

8 A. This photo was taken in my West Fargo
9 residence.

10:03 10 Q. So would that suggest that the photo we
11 just looked at was also taken in West Fargo?

12 A. I would concur with that, yes.

13 Q. So in March of 2008, you had two TVs in
14 your --

10:04 15 A. Yes.

16 Q. -- West Fargo house? And again, you
17 supplied the model number and serial number
18 information that's on the label?

19 A. Yes, I did.

10:04 20 Q. And what size is this TV?

21 A. This is a 13-inch.

22 Q. How do you know that?

23 A. Because that's what the owner's manual
24 said, and that's what it is when you measure it.

10:04 25 Q. Okay. If you go back to your

1 interrogatory response, it says that you purchased
2 this in November or December 2002?

3 A. Correct.

4 Q. How do you know it was in November or
10:04 5 December?

6 A. Because we moved into this residence in
7 November of 2002.

8 Q. And how does that lead to the conclusion
9 that you bought this TV at this time?

10:05 10 A. Because the TV was purchased to be on the
11 kitchen counter to watch the 6:00 o'clock news.

12 Q. But you don't remember if it was in
13 November or December?

14 A. Exactly, I do not know.

10:05 15 Q. And you don't have any documents that
16 would show it?

17 A. No, I don't.

18 Q. Did you ever have a receipt for this TV?

19 A. Again, that would have been gone with my
10:05 20 normal disposition of old documents.

21 Q. Which occurs every six or seven years, you
22 said, roughly.

23 If you go down to the next section of your
24 interrogatory response it says that you bought this
10:05 25 at Target/Best Buy/Walmart in Fargo, North Dakota?

1 the other two?

2 A. Yes.

3 Q. And where was this one taken?

4 A. This one is in my lake property.

10:13 5 Q. So the other two photos that we just
6 talked about were taken at your West Fargo house?

7 A. Correct.

8 Q. This one was taken somewhere else?

9 A. Correct.

10:14 10 Q. All on the same date?

11 A. Yes.

12 Q. What size is this TV?

13 A. I believe this is also a 25-inch.

14 Q. And your interrogatory response says you
10:14 15 bought this in 2003?

16 A. Yes.

17 Q. How do you know that?

18 A. Because, again, when we were moving into
19 our West Fargo residence, I also purchased TVs for
10:14 20 both places. And so I'm thinking this was 2003,
21 although I don't know for sure.

22 Q. It's possible that it was some other year?

23 A. It would have been either 2002 or 2003, to
24 the best of my recollection.

10:15 25 Q. But you don't have any documents that

1 would tell you when it was purchased?

2 A. No.

3 Q. Do you have any other documents at all
4 other than the photo we just looked at?

10:15 5 A. No.

6 Q. And is that because the receipt was --

7 A. Yes.

8 Q. -- shredded?

9 A. Yes.

10:15 10 Q. And it says that you purchased this at a
11 Target in Fergus Falls, Minnesota, correct?

12 A. Correct.

13 Q. And I believe that's where you said your
14 lake house is located?

10:15 15 A. Correct.

16 Q. So you purchased this in Minnesota for use
17 at your house in Minnesota; is that right?

18 A. Correct.

19 Q. Did you actually go into the store to buy
10:15 20 this?

21 A. Yes.

22 Q. And why did you decide to buy this from
23 Target?

24 A. Target was a familiar name with a national
10:16 25 reputation.

Exhibit Q

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
4

5 * * * * *

6 IN RE: CATHODE RAY TUBE (CRT))
7 ANTITRUST LITIGATION)
8)

) Case No. 07-5944 SC
) MDL No. 1917

9 This Document Relates to:)
10)

11 ALL ACTIONS)
12)
13)
14)
15)
16)

17 VIDEOTAPED DEPOSITION

18 OF

19 JEFF SPEAECT
20
21
22

23 Taken at
24 Holiday Inn Express
25 110 E. Stanley Road
Fort Pierre, South Dakota
November 16, 2012

10:03 1 don't have them so I can't prove to you that they
10:03 2 are.

10:04 3 Q Getting back to Exhibit 551 with respect to the
10:04 4 Toshiba television, you've listed here as location
10:04 5 of purchase Wal-Mart in Pierre, South Dakota; is
10:04 6 that right?

10:04 7 A Correct.

10:04 8 Q And that's where you purchased your Toshiba
10:04 9 television?

10:04 10 A Yes.

10:04 11 Q Are you sure about that?

10:04 12 A Yes.

10:04 13 Q Do you have any documentation that would show that
10:04 14 that's where you purchased the TV?

10:04 15 A I unfortunately do not.

10:04 16 Q But you have a clear memory of purchasing it at
10:04 17 Wal-Mart?

10:04 18 A Yes. I don't have too many choices in Pierre.

10:04 19 Q Under persons involved in the purchase, you've
10:04 20 listed yourself, Jeffrey Speaect; is that right?

10:04 21 A Yes.

10:04 22 Q So you personally purchased this Toshiba television;
10:04 23 is that right?

10:04 24 A Yes. At the time I did not have a spouse or
10:04 25 anything of that nature so it was me and me only.

10:05 1 Q And you've listed the price as between 250 and \$300;
10:05 2 is that right?

10:05 3 A That is right. The number that actually comes to my
10:05 4 mind is 290, but it's right there.

10:05 5 Q Do you have any documentation that would show how
10:05 6 much you paid for this TV?

10:05 7 A I have looked everywhere I could think to look, but
10:05 8 as I said I've been through -- since 2004 I have
10:05 9 been through four moves, and I didn't regard that as
10:05 10 something important to save.

10:05 11 THE VIDEOGRAPHER: Counsel, there's about five
10:05 12 minutes left on this tape.

10:05 13 MR. CUNNINGHAM: Okay. We'll take a break in
10:05 14 just a second.

10:05 15 Q (By Mr. Cunningham) So this range that you provided
10:05 16 here between 250 and \$300, is that just based on
10:05 17 your memory?

10:05 18 A Correct.

10:05 19 Q Could it have been more than that?

10:06 20 A I can't say with 100 percent certainty that it
10:06 21 wasn't, but my memory tells me that it was \$290.

10:06 22 Q Could it have been less than 250?

10:06 23 A No.

10:06 24 Q You're certain that it was at least --

10:06 25 A It was at least 250. It was, I believe, 290.

10:34 1 were discarded, but in the places that I thought it
10:34 2 might possibly be I reviewed.

10:34 3 Q So where did you look specifically?

10:34 4 A Boxes of unpacked items from the homes that I had
10:34 5 moved from.

10:34 6 Q Did you look in your place of business at all?

10:34 7 A No.

10:34 8 Q Do you keep any receipts or anything of that nature
10:34 9 at your work office?

10:34 10 A No.

10:34 11 Q Did you do any kind of a computer search?

10:34 12 A There wouldn't have been any computerized record of
10:34 13 it. No, there was no reason to.

10:34 14 Q For instance, searching through your e-mail or
10:34 15 something like that?

10:34 16 A I would not have e-mailed myself or anyone else any
10:34 17 information regarding the purchase, so no.

10:35 18 Q Did you find any documents responsive to any of
10:35 19 these requests?

10:35 20 A Um, no.

10:35 21 Q Let's look, in particular, at number 3, "Requests
10:35 22 for Production of Documents No. 3" which is on
10:36 23 Page 4, and this asks you for "all documents
10:36 24 relating to the acquisition of any CRT product upon
10:36 25 which you base any claim in this action, including

10:36 1 [and] without limitation," and then it goes on to
10:36 2 list various categories. Did you look for documents
10:36 3 responsive to this request?

10:36 4 A Yes. And, once again, I was unable to locate any
10:36 5 receipt or invoice. And as far as manuals, um, I
10:36 6 honestly probably don't have the one for the TV that
10:36 7 I purchased just here in the last couple months.
10:36 8 Um, I'm quite literate when it comes to operating
10:36 9 and I discarded.

10:36 10 Q Can you think of any place else where you might have
10:37 11 documents regarding your purchase of CRT products
10:37 12 that you haven't already looked?

10:37 13 A No.

10:37 14 Q So you don't have any proof of purchase of your
10:37 15 Toshiba television; is that right?

10:37 16 A Other than the television itself, no.

10:37 17 Q Did you withhold any documents on the grounds of any
10:37 18 privileged or confidentiality concerns?

10:37 19 A No.

10:37 20 Q Did you receive any brochures or marketing materials
10:37 21 from any retailers regarding your purchase of the
10:37 22 Toshiba television?

10:37 23 A No.

10:38 24 MR. FRUTIG: This is Matt Frutig from White &
10:38 25 Case. Vague and ambiguous as to "Toshiba".

Exhibit R

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

---o0o---

In Re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

Plaintiff,

Case No.
07-5944 Sc
MDL No. 1917

This Document Relates to:

ALL ACTIONS,

VIDEOTAPED DEPOSITION OF MARGARET SLAGLE

TUESDAY, MARCH 20, 2012

REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR

1 MR. GRALEWSKI: Object to the form of the
2 question. Misstates it -- object to the question.
3 It misstates it. Sorry.

4 Q. BY MR. BRADSHAW: Ms. Slagle, how did I
09:52 5 misstate your testimony?

6 A. Repeat what you just said.

7 Q. I think you told me, and correct me if I'm
8 wrong, that you purchased the Sylvania a couple
9 months after the Magnavox?

09:52 10 MR. GRALEWSKI: Counsel, the record will
11 reflect what she said. Object to the question.
12 Misstates testimony. But since you asked, she said
13 shortly thereafter, but you can continue.

14 THE WITNESS: Okay.

09:52 15 Q. BY MR. BRADSHAW: Okay. So when did you
16 purchase the Sylvania television?

17 A. Shortly after the Magnavox. When? It was
18 in '05, I believe, the beginning of '05.

19 Q. Okay. So the beginning of '05, which
09:53 20 would be a couple months after November; is that
21 correct?

22 A. Yes.

23 Q. Thank you for that clarification. Where
24 did you purchase the Sylvania television?

09:53 25 A. I don't remember. I think it was -- I

1 really don't remember. I think it was RadioShack,
2 but I am not sure.

3 Q. Do you have a receipt?

4 A. I don't have a receipt for that one.

09:53 5 Q. Have you looked for a receipt?

6 A. I have.

7 Q. Okay. Have you checked your credit card
8 statements?

9 A. I did, yeah.

09:53 10 Q. Do you know how you paid for the
11 television, the Sylvania television?

12 A. I don't. I don't.

13 Q. If you paid by credit card, would it have
14 appeared on your credit card statement?

09:53 15 A. It could have been, or it could have been
16 on other credit cards, I am not sure.

17 Q. So you had other credit cards other than
18 this Sears Gold MasterCard?

19 A. Uh-huh.

09:53 20 Q. And you checked those statements as well?

21 A. As best I could, yeah.

22 Q. Do you have any recollection as to how you
23 paid for the Sylvania television?

24 A. I don't. That was also a purchase that
09:54 25 was done quickly.

1 smaller than the other. They have the square
2 front, yeah. To my eye, they were very similar.

3 Q. Which one do you think is smaller than the
4 other?

09:57 5 A. I'd have to look at them again to see. I
6 think maybe the Magnavox is bigger.

7 Q. Is it possible that you paid for the
8 Sylvania with cash?

9 A. It's possible, yeah.

09:57 10 Q. Possible you paid with check?

11 A. It's possible, but I would have had a
12 record of that, I would have thought.

13 Q. Did you look for a canceled check --

14 A. Uh-huh.

09:57 15 Q. -- in connection with this lawsuit? You
16 did?

17 A. I looked through the receipts for those --
18 for the years trying to find proof that I purchased
19 it, yes.

09:57 20 Q. Do you have a special place where you keep
21 receipts?

22 A. In different places, yeah.

23 Q. And you searched those different places --

24 A. I did.

09:57 25 Q. -- to try to find a receipt for the

1 Sylvania?

2 A. Yes.

3 Q. But you were not able --

4 A. I was not.

09:57 5 Q. -- to find it?

6 MR. GRALEWSKI: Try to remember to let him
7 finish his question.

8 THE WITNESS: Sorry.

9 MR. GRALEWSKI: It's okay.

09:58 10 Q. BY MR. BRADSHAW: Now, when you purchased
11 the Sylvania television, did you research
12 televisions prior to the purchase?

13 A. I didn't.

14 Q. Did you consider the purchase either of
09:58 15 the Magnavox television or the Sylvania television
16 to be a big purchase, a significant purchase for
17 you?

18 A. At that point in time it was, yes.

19 Q. And do you normally not investigate or
09:58 20 research the products that you're purchasing when
21 you're purchasing something that's a significant
22 purchase?

23 A. Do I normally not research it? I'd say
24 50/50. Sometimes I do and sometimes I don't.

09:58 25 Q. When you purchased the Sylvania

1 Q. You didn't pay anybody at RadioShack to
2 come set it up for you?

3 A. No.

4 Q. And same thing for the Magnavox, you
10:22 5 didn't pay anybody to come set it up for you?

6 A. No.

7 Q. Did you pay tax on it, on the Sylvania?

8 A. I am sure I did. There's sales tax in
9 Vermont.

10:22 10 Q. But you don't know how much you paid for
11 it?

12 A. I don't.

13 Q. Is it fair to say that you've produced in
14 this case all of the documentation, whether it's a
10:22 15 receipt or an invoice or a credit card statement or
16 a canceled check, whatever the documentation is,
17 that you produced all the documentation you've been
18 able to locate associated with either of the two
19 purchases?

10:22 20 A. Yes.

21 Q. Okay. On the Sylvania, again, you didn't
22 purchase an extended warranty?

23 A. No.

24 Q. Did you get the warranty that came, the
10:23 25 standard manufacturer's warranty, to the best of